

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Shawn Maurice Brown

Docket No. 7:07-CR-22-2F

Petition for Action on Supervised Release

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Shawn Maurice Brown, who, upon an earlier plea of guilty to Possession With Intent to Distribute More Than 5 Grams of Cocaine Base, 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on February 6, 2008, to the custody of the Bureau of Prisons for a term of 87 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Shawn Maurice Brown was released from custody on March 12, 2012, at which time the term of supervised release commenced.

On July 24, 2014, the court modified Brown's conditions to include that he complete 24 hours of community service in response to his admission to using marijuana and his positive urine screen on July 15, 2014.

On June 23, 2015, the court modified Brown's conditions to include that he be confined to the Bureau of Prisons for a period of 2 days in response to his admission to using marijuana and his positive urine screen on May 28, 2015.

On August 26, 2015, the court modified Brown's conditions to include participation in a cognitive behavioral program as directed by the probation officer in response to incurring charges of Driving While License Revoked, Expired Registration, and No Liability Insurance in New Hanover County (dismissed) and his admission to using marijuana and his positive urine screen on July 23, 2015.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 20, 2015, Brown was charged with Driving While License Revoked Not by Impaired Revocation (15CR702741) in Anson County, North Carolina. Brown failed to appear on this matter and is attempting to resolve this matter. This charge remains pending.

On December 23, 2015, Brown was charged with Driving While License Revoked Not by Impaired Revocation (15CR715516) in Union County, North Carolina. This charge remains pending.

Brown tested positive for marijuana on December 17, 2015. In response to this violation Brown has been returned to Step 1 in the cognitive behavioral treatment (CBT) program in which he is currently enrolled and is being required to once again complete the steps he had previously satisfied. Additionally, he will resume mandatory substance abuse treatment as recommended by the probation office.

The defendant is consulting with legal counsel to resolve the driving offenses and has admitted he used marijuana during the days after his birthday on December 11, 2015. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 4 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton

Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Erik J. Graf

Erik J. Graf
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2031
Executed On: March 17, 2016

ORDER OF THE COURT

Considered and ordered this 18th day of March, 2016 and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge